

Dear Mr. Duncan:

In order to move forward with your label amendments for EPA Reg. No. 59639-151, please make the following revision to your label:

1. On page 1 of the label, directly under the product name “V-10170 5 FS Insecticide” revise the statement to read “An insecticide seed treatment product providing systemic seed protection against listed early season insects”

(change indicated in red – “and seedling” was deleted. A seed is considered a treated article. According to the 40 CFR 152.25(a) Treated Article Exemption: **“Treated articles or substances.** An article or substance treated with, or containing, a pesticide to protect the article or substance itself (for example, paint treated with a pesticide to protect the paint coating, wood products treated to protect the wood against insect or fungus infestation) if the pesticide is registered for such use.” Based on this the claims re protecting the seedling are not acceptable)

2. On page 4 of the label, for clarity and consistency under “Restrictions” revise “...to cereal grains (except corn and sorghum).” to read “...to cereal grains (except corn, rice, sorghum and wild rice).”

(changes indicated in red – now it is in line with the on-farm directions for use on page 6 of the label)

3. On page 4 of the label, for clarity and consistency under “Restrictions” add the following restrictions from the seed bag tag to this section (these will now appear here and on the seed bag tag):
 - “DO NOT used treated seed for feed, food, or oil purposes.”
 - “Store treated seed away from feeds and foodstuffs.”
 - “Excess treated seed may be used for ethanol production only if (1) by-products are not used for livestock feed and (2) no measurable residues of pesticide remain in ethanol by-products that are used in agronomic practice.”
 - “Dispose of all excess treated seed. Left over treated seed may be double-sown around the headland or buried away from water sources in accordance with local requirements. Do not contaminate water bodies when disposing of planting equipment washwaters.”
 - “Dispose of seed packaging in accordance with local requirements.”
 - “This compound is highly toxic to bees exposed directly (contact). Ensure that planting equipment is functioning properly in accordance with manufacturing recommendations to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds.”
 - “Do not re-use bags from treated seed to handle food or feed products.”
 - “The compound is toxic to birds and mammals. Treated seeds exposed on soil surface may be hazardous to birds and mammals. Cover or collect treated seeds spilled during loading.”

(these are needed under the Restrictions for the On Farm label – the seed bag tag won't appear for the on farm label so we need to make sure everyone knows what the restrictions are in both portions of the label)

4. On page 6 of the label, need to include the plant back instructions for the on farm uses that are seen on the seed bag tag – please copy the “Rotational Crop Plant-Back Intervals” table from page 17 and place it directly after the “On-Farm Application” table.
5. On page 17 of the label, under the subheader “Product Information” the first paragraph that does not appear on the “On Farm” portion of the label – please add this information to the beginning of the label so the end user can see it... right now it would just be seen on the commercial seed bag tag.
6. On page 17 of the label, under “Product Information” the second paragraph “Accurate application of V019170 5 FS... seed treatment mixture” also needs to be added under the subheader “Tank Mixing” on page 5.
7. On page 15 of the label, on the Seed Bag tag please add the following information for each crop treated:

“For (insert name of crop): This seed has been treated with _X_ lbs clothianidin per _____ lbs of seed [**or** _X_ mg clothianidin per seed].”

8. On page 5 of the label, in the “On-Farm Application” table under the “Rates/Instructions” column add the following for each crop:

“For (insert name of crop): This seed has been treated with _X_ lbs clothianidin per _____ lbs of seed [**or** _X_ mg clothianidin per seed].”

Please submit these label changes back to me via email (lewis.marianne@epa.gov) as soon as possible so that I can proceed with this action and stamp off on a clean label.

Thanks,
Marianne